

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 7, 2010

DIVISION ONE

B210900 Stephen M. Gaggero (Not for Publication)
 v.
 First Federal Bank of California

The “Order Granting Motion for Supplemental Award of Attorney Fees” is reversed and the trial court is directed to enter a new order denying the motion. The “Order Granting Motion For Order Clarifying Court’s Ruling On Motion To Tax Costs” is reversed insofar as it awards defendant interest on attorney fees in the amount of \$3962.15 and the court is directed to enter a new order denying any interest on attorney fees. In all other respects that order is affirmed. Defendant’s appeal is dismissed as moot. Each party to bear its costs on appeal.

Rothschild, J.

We concur: Mallano, P.J.
 Johnson, J.

B217826 David Hoffman PC (Not for Publication)
 v.
 Bob M. Cohen, et al.

The order of dismissal is reversed, with directions to the trial court to vacate its order dismissing the action against Bob M. Cohen & Associates Law Corporation and to issue an order overruling the demurrer as to that defendant. Plaintiff is entitled to costs on appeal.

Chaney, J.

We concur: Mallano, P.J.
 Johnson, J.

DIVISION ONE (continued)

B215774 In re EB, et al.
v.
Children and Family Services
T.W., et al.

Filed order certifying opinion for publication.

B218037 Joseph L. Brown
v.
The Superior Court of Los Angeles County
The People

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE

B210378 People (Not for Publication)
v.
James Francis Keith

The judgment is modified by striking the Penal Code section 1464, subdivision (a)(1) penalty, which was in the amount of \$760, and, as so modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modification.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (continued)

B214366 Robert Hirschman (Not for Publication)
 v.
 Dean Wallraff, et al

The order is affirmed. The Wallraffs shall recover their costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B214031 People (Not for Publication)
 v.
 Alfronsa Fuentes Jimenez

The order denying appellant's motion to vacate the judgment pursuant to former Penal Code section 1016.5, subdivision (b), and denying her petition for a writ of error coram nobis is affirmed.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

B210610 Cooper
 v.
 Department of Fire and Police Pensions of the City of Los Angeles

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

[illegible]

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.
Willhite, J.

B215286 Carter (Not for Publication)
v.
Los Angeles County Metropolitan Transportation Authority

The order denying the petition is affirmed. LACMTA to have its costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

DIVISION FIVE

B211314 Mary Friedman (Not for Publication)
v.
Barbara Donahue

The October 15, 2008 order enforcing the money judgment is affirmed. The October 27, 2008 appeal challenging the determination of the stay request and the October 6, 2008 appeal from the October 7, 2008 order directing third party to withhold funds are dismissed. All parties to bear their own costs on appeal.

Ferns, J. (Assigned)

We concur: Armstrong, Acting P.J.
 Kriegler, J.

DIVISION FIVE (continued)

B214150 Bendheim Enterprises, Inc. (Not for Publication)
 v.
 Las Vegas Land & Development Co.

The judgment is affirmed. Respondent(s) to recover costs.

Ferns, J. (Assigned)

We concur: Mosk, Acting P.J.
 Kriegler, J.

B220059 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Austin R.
 G.R.

The judgment is affirmed.

Ferns, J. (Assigned)

We concur: Armstrong, Acting P.J.
 Kriegler, J.

B216906 People (Not for Publication)
 v.
 David S.

The section 12022.53, subdivisions (b) and (1) ten-year enhancement is reversed. The minor's total confinement time is reduced to five years, eight months. The wardship order is otherwise affirmed.

Ferns, J. (Assigned)

We concur: Armstrong, Acting P.J.
 Mosk, J.

DIVISION FIVE (continued)

B211015 People (Not for Publication)
v.
Julio Perez and Eric Sanford

The abstract of judgment is ordered corrected to show that appellant Perez's two year sentence for the count 5 attempted robbery is imposed concurrently to the 50-year-to-life sentence for murder and that his total term is 50 years to life. The judgment is affirmed in all other respects.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

B219326 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Quina B.

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

B218116 In re Vexter Ellis on Habeas Corpus (Not for Publication)

The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Kriegler, J.
Ferns, J. (Assigned)

DIVISION FIVE (continued)

B212250 People (Not for Publication)
v.
Adam Loza

The true findings on the multiple murder special circumstances are ordered stricken. Appellant's sentence for the count 4 attempted robbery conviction is corrected to eight months for the conviction and four months for the section 12022, subdivision (a)(1) enhancement. Sentence on the counts 3 and 4 convictions is ordered stayed pursuant to section 654. The judgment of conviction is affirmed in all other respects.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.